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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/762,581	04/02/2001	Takashi Aramaki	L9289.01110P	5737

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Washington, DC 20036

EXAMINER

D AGOSTA, STEPHEN M

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/762,581

Applicant(s)

ARAMAKI ET AL.

Examiner

Stephen M. D'Agosta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 12-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 12-18 have been considered but are moot in view of the new ground(s) of rejection.

1. This amendment overcomes the examiner's objection to claims 2 and 9 since they have been cancelled.
2. The applicant did not address the examiner's objection to the fact that there is no sentence in the specification referencing priority to another foreign patent (?).

Priority

It is noted that this application appears to claim subject matter disclosed in prior Application No. PCT/JP00/03704, filed 6-8-2000. A reference to the prior application must be inserted as the first sentence of the specification of this application or in an application data sheet (37 CFR 1.76), if applicant intends to rely on the filing date of the prior application under 35 U.S.C. 119(e) or 120. See 37 CFR 1.78(a). For benefit claims under 35 U.S.C. 120, the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of all nonprovisional applications. Also, the current status of all nonprovisional parent applications referenced should be included.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-13, 15-16 and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmadi et al. US 6,597,671 and further in view of Rode US 6,157,818 (hereafter Ahmadi and Rode).

As per claims 12, 15 and 18, Ahmadi teaches a base station apparatus forming a communication network that is identified by a unique network identifier (figures 1 and 1a, #26 or 28, figure 6, C12, L33-45 and figures 9, 11 – see “base station ID” and “network ID”), the base station apparatus comprising:

a table that associates and stores the network identifier used by said existing base station apparatus and a communication network that said existing base station apparatus forms (see Table 2, Column 16 which teaches correlation between NET ID, Base Station name and (routing) “distance” and also C15, L60 to C16, L59);

an assigner that assigns a network identifier to said base station apparatus with reference to the table (C8, L47-49, C12, L33-45 and also figure 6, C12, L40-45); and

wherein when said base station apparatus and said existing base station apparatus form a same communication network, the assigner assigns the network identifier used by said existing base station apparatus to said base station apparatus (Ahmadi teaches a MANUAL process whereby the network operator assigns “static” NET ID’s to each base station).

But is silent on an investigator that investigates a network identifier used by an existing base station apparatus;

While Ahmadi teaches a Manual process/investigator that oversees network identifiers, Rode teaches a communication system having automatic addressing (title

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and abstract and C2, L29 to C5, L16). One skilled in the art would provide for automatic “dynamic” addressing capability (eg. per Rode and/or per DHCP for TCP/IP Addressing).

With further regard to claim 15, Ahmadi teaches transmission/reception means via wired/wireless means (figures 1 and 1a) **but is silent on** periodic transmission of NET ID information. As discussed above, Rode and DHCP disclose transmission of NET ID addressing data periodically as users are added/removed or when the network topology changes.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Ahmadi, such that the investigator investigates a NET ID used by an existing base station, to provide manual/automatic “care and provisioning” of NET ID's throughout the network.

As per **claim 13**, Ahmadi teaches claim 12, wherein when said base station apparatus and said existing base station apparatus form different communication networks, the assigner assigns a network identifier, unused by said existing base station apparatus and different from the network identifier used by said existing BTS apparatus to said BTS apparatus (NET ID assigning means for assigning an unused NET ID as the NET ID of the own station based (C8, L47-49 and C12, L33-45 and C12, L40-45)

As per **claim 16**, Ahmadi teaches claim 12, wherein the investigator investigates a state of use of network identifiers based on network identifier information transmitted from said existing base station apparatus (Ahmadi teaches an “assigner that assigns a network identifier” to said base station apparatus -- C8, L47-49, C12, L33-45 and also figure 6, C12, L40-45 – hence the assigner must investigate the state of use of NET ID's since you should not allocate the NET ID more than once, which reads on the claim).

Claims 14 and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmadi in view of Rode and further in view of Kakushi JP-08107414A.

As per **claim 14**, Ahmadi teaches claim 13, **but is silent on** further comprising: a setter that sets an extending identifier and increases a number of bits for use for a network identifier, when a result of investigation by the investigator shows that there is no unused network identifier and that said base station apparatus and said existing base station apparatus form different communication networks,

wherein the assigner assigns the extending identifier and the increased number of bits as a network identifier to the communication network of said base station apparatus.

Both Ahmadi and Rode teaches NET ID provisioning (ie. manual and automatic).

Kakushi teaches extending the MAC address (eg. NET ID) by one bit (abstract).

It would have been obvious to one skilled in the art at the time of the invention to modify Ahmadi in view of Rode, such that investigation means is used and the NET ID address can be increased if no NET ID's are available, to provide automatic assignment of NET ID's and the ability to dynamically expand the

As per **claim 17**, Ahmadi teaches claim 12, **but is silent on** further comprising a scrambler that performs scrambling processing on network identifiers.

Kakushi teaches scrambling of transmitted data which includes scrambling of the NET ID's.

It would have been obvious to one skilled in the art at the time of the invention to modify Ahmadi in view of Rode, such that data is scrambled, to provide security through encryption.

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Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 703-306-5426. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stephen D'Agosta
1-13-05



WILLIAM TROST
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